

SENATE BILL NO. 358

INTRODUCED BY B. DEPRATU, WANZENRIED, TRAMELLI

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4 A BILL FOR AN ACT ENTITLED: "AN ACT PROVIDING FOR GENERAL PUBLIC ACCESS TO MOTOR
5 VEHICLE ACCIDENT REPORTS AND SUPPLEMENTAL INFORMATION FOR THE PURPOSE OF RESEARCH
6 INTO THE HISTORY OF VEHICLES; PROHIBITING ACCESS TO INFORMATION IDENTIFYING ANY PERSON
7 OR INSURER NAMED IN THE RECORDS; AND AMENDING SECTION 61-7-114, MCA."

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9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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11 **Section 1.** Section 61-7-114, MCA, is amended to read:

12 **"61-7-114. Accident reports confidential.** (1) All required accident reports and supplemental
13 reports must be without prejudice to the individual reporting and must be for the confidential use of the
14 department or other governmental agencies for accident prevention, roadway design, motor carrier safety
15 monitoring purposes, or for the administration of the laws of this state relating to the deposit of security
16 and proof of financial responsibility by persons driving or the owners of motor vehicles. The department
17 may disclose the identity of a person involved in an accident when the identity is not otherwise known or
18 when the person denies being present at the accident.

19 (2) Except as provided in this section, all accident reports and supplemental information filed as
20 required by this part are confidential and not open to general public inspection. ~~Copying~~ Except as provided
21 in subsection (2)(e), copying of lists of reports is not permitted. The report and supplemental information,
22 INCLUDING WITNESS STATEMENTS, filed by law enforcement personnel, as required by this part, may be
23 examined and copied, without obtaining a court order, by:

24 (a) a person named in the report or involved in the accident;

25 (b) the representative of the person referred to in subsection (2)(a), designated in writing, or the
26 insurance carrier of that person;

27 (c) a party to a civil action arising from the accident; ~~or~~

28 (d) the executor, the administrator, or the attorney representing the executor or administrator if
29 the person is deceased; or

30 (e) the general public, including commercial entities, for purposes of research into the history of

1 vehicles, but the department may not disclose the name, address, or telephone number of, or other
2 information allowing the identification of, any reporting person, accident victim, peace officer, or other
3 person or any insurer named in a report or supplemental information, INCLUDING WITNESS STATEMENTS."

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